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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,198	10/21/2003	Kenneth A. Stevens	923071-94935(1017.4)	3673
23644	7590	06/13/2006	EXAMINER	
BARNES & THORNBURG, LLP			MORRISON, THOMAS A	
P.O. BOX 2786			ART UNIT	
CHICAGO, IL 60690-2786			PAPER NUMBER	

3653

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/690,198	Applicant(s) STEVENS, KENNETH A.	
	Examiner Thomas A. Morrison	Art Unit 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/30/2006 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,347,213 (Yamanaka et al.) in view of U.S. Patent No. 3,958,800 (Gates).

Regarding claim 1, Figs. 1-2, 5(a)-5(b), and 8-11 of the Yamanaka et al. patent show a high capacity sheet feeder (including 24 and 21) including a feed table (21) and operably mounted on and above a sheet transport (including 1, 31, 32a and 32b) in an operable position for feeding sheets downward and back under the feed table (21) to the transport (including 1, 31, 32a and 32b), the sheet feeder operably mounted to the

transport (including 1, 31, 32a and 32b) at hinge points (43 and 43 in Fig. 10) allowing the sheet feeder to be hinged upwardly to a non-operable position (Fig. 10) to allow access to a sheet-transporting assembly (including 31, 32a and 32b) of the transport (including 1, 31, 32a and 32b), the sheet feeder including the feed table (21) capable of maintaining a stack both in the operable position (Fig. 1) and the non-operable hinged-upward position (Fig. 10). The Yamanaka et al. patent discloses all of the limitations of claim 1, except for the feed table being capable of retaining a stack of sheets loaded edgewise thereon.

The Gates patent discloses that it is well known to provide a copier with a sheet feeder (Fig. 1) having a feed table (including 20 and 6) capable of retaining a stack of sheets loaded edgewise thereon. See, e.g., Fig. 1 and column 1, lines 1-8. The Gates patent explains that the obtuse angle (δ) of the sheet feeder (Fig. 1) ensures accurate feeding of single sheets. See, e.g., column 3, line 68 to column 4, line 4. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the sheet feeder of Yamanaka et al. with a feed table that retains sheets at an obtuse angle (i.e., loaded edgewise), because such arrangement ensures accurate feeding of single sheets, as taught by the Gates patent.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,928,944 (Goliez) in view of Japanese Publication No. 4-303350.

Regarding claim 1, Figs. 1 and 5-9 of the Goliez patent show a high capacity sheet feeder (including 22 and 24) including a feed table (24) and operably mounted on and above a sheet transport (including 86 and 82) in an operable position for feeding

sheets downward and back under the feed table (24) to the transport (including 86 and 82), the sheet feeder (including 22 and 24) including the feed table (24) capable of retaining a stack of sheets loaded edgewise thereon. See, e.g. Fig. 9. However, the Goliez patent does not specifically show that the sheet feeder (including 22 and 24) is operably mounted to the transport at hinge points allowing the sheet feeder (including 22 and 24) to be hinged upwardly to a non-operable position to allow access to a sheet-transporting assembly of the transport, and also does not specifically show that the sheet feeder (including 22 and 24) includes the feed table capable of maintaining such stack in the non-operable hinged-upward position.

Japanese Publication No. 4-303350 shows that it is well known to provide a sheet handling device (M) with a sheet feeder (10) operably mounted to a transport (Fig. 1) at hinge points (106 in Fig. 3) allowing the sheet feeder (10) to be hinged upwardly to a non-operable position (Fig. 3). Also, Figs. 1 and 3 of Japanese Publication No. 4-303350 also show that the sheet feeder (10) includes a feed table (near 22) capable of retaining a stack of sheets loaded edgewise thereon (Fig. 1) and capable of maintaining such stack both in the operable position (Fig. 1) and the non-operable hinged-upward position (Fig. 3). With regard to Figs. 2 and 3, an English translation of the numbered paragraph [0036] of Japanese Publication No. 4-303350 states that

[0036] Lock member 140 is released (see Fig. 2) and the entire paper feed platform 10 is raised, with the shaft 106 as the rotation center, until the end plate 14 provided on the paper feed platform 10, gripping the tip of the paper feed platform 10, becomes almost horizontal, and the paper is stacked (See Fig. 3.) Next, the paper feed platform 10 is put down in the direction that is the opposite of arrow B. Thus, the paper 12 is set on the paper feed platform 12 in a tile-like manner, as shown in Fig. 2. Then, taking into account the quality of material, thickness, and fan fold of the paper 12, compression operation lever 194 is shifted

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clockwise or counterclockwise, and the friction plate 56 regulates the amount of pressure that compresses the separation roller 32 (See Fig. 2.) The above-mentioned operation is carried out also with regard to the unit-type automatic paper feed device M.

See the attached English translation. In other words, the sheet feeder (10) is pivoted upward in order to facilitate stacking of paper thereon. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the Goliez patent with hinge points about which the Goliez feeder (including 22 and 24) can be pivoted, in order to facilitate easy stacking of sheets thereon, as taught by Japanese Publication No. 4-303350. The upward pivoting of the Goliez sheet feeder (including 22 and 24) would allow better access to the sheet-transporting assembly (82) of the transport (including 86 and 82). Thus, all of the limitations of claim 1 are met.

Response to Arguments

4. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

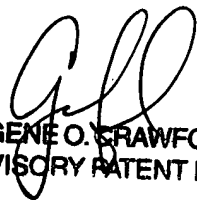
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

06/06/2006


GENE O. CRAWFORD
SUPERVISORY PATENT EXAMINER